

# VARNUM

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February 2, 2018

**Via E-mail & First Class Mail**

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Mr. David O'Donnell  
Acting District Coordinator  
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Grand Rapids District Office  
Dept. of Environmental Quality  
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Mr. Adam London, RS, MPA  
Health Officer  
Kent County Health Department  
700 Fuller, N.W.  
Grand Rapids, MI 49503

Re: Wolverine World Wide, Inc. Contamination – Need for Metals Testing

Dear Ms. Grether and Gentlemen:

As you may know, our law firm represents over 250 residents in the Rockford/Belmont area related to tannery waste contamination. Late last year, we raised concerns that Wolverine removed tannery waste from various sites without adequate testing and proper characterization of waste. Despite the Michigan Department of Environmental Quality and Wolverine's consultants literally overseeing the removal, no one besides us was interested in understanding the composition of the waste.<sup>1</sup> Despite significant interference and roadblocks erected by Wolverine and its consultants,<sup>2</sup> we were able to gather several samples.

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<sup>1</sup> Apparently, the landfills where Wolverine was transporting the excavated materials were misled to believe the waste was non-hazardous. When they discovered what Wolverine was actually dumping, they rejected all further loads and Wolverine was forced to ship the waste to a hazardous waste landfill.

<sup>2</sup> Among other things, we were forced to comply with a requirement that Wolverine be named as an insured on Fishbeck's insurance policies in order for Fishbeck to collect soil samples on property not even owned by Wolverine.

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Our testing revealed extremely high levels of mercury, arsenic, and chromium. We hand-delivered these results to David O'Donnell. To our knowledge, no additional testing was undertaken by DEQ or any other agency in response to these findings. Subsequent soil testing further confirmed these results, and also revealed highly elevated lead and zinc levels.

Our understanding is that none of the relevant government agencies undertook any further water well testing based on these results. Our additional water well testing, however, revealed elevated lead levels in the drinking water. A copy of that test report is enclosed. At our suggestion, another one of our clients submitted water samples to the Kent County Health Department for testing. That test also revealed very high levels of lead – in fact, over four times the federal criteria (test result enclosed). This alarming news was simply mailed to our client with no follow-up or explanation.

We raised these concerns in a detailed letter sent to the DEQ and EPA on January 23, 2018, but we have no indication that any action was taken. In light of the finding that a second home has lead in its drinking water above federal criteria, we once again call on state and federal agencies to assist residents and protect the public health. In particular, we request that every residential drinking water well in the designated PFAS contamination zones be tested for metals contamination.

The residents of Rockford, Belmont, and Comstock Park look forward to your response and assistance.

Very truly yours,

VARNUM

A handwritten signature in dark ink, appearing to read 'Aaron Phelps', with a long horizontal flourish extending to the right.

Aaron M. Phelps

AMP/db

Enclosures

c/e: Rep. Chris Afendoulis  
Rep. Rob VerHeulen  
Senator Peter MacGregor

Sample ID: EN18-000403

County of Watersource: Kent  
Township of Watersource: PLAINFIELD

COLLECTION SITE ADDRESS:

Ex. 6 - Personal Privacy

SUBMITTING AGENCY:

Collection date: 01/19/2018

Collection time: 06:10 am

Collected by: Ex. 6 - Personal Privacy

Received date: 01/19/2018

Received time: 09:29 am

Received by: JP

Sample Purpose: WATER QUALITY PROBLEM (5)

Sample Point of Origin: WELLHEAD

Sample Point Code: UNTREATED PRIVATE WELL (5)

Sample Source Code: SINGLE FAMILY DWELLING (0)

Collector Code: PRIVATE CITIZEN (3)

TEST & ANALYTE NAME	Date/Time Tested	Result	Units	RL	MCL/ AL	Method
Corrosion Control						
Copper	01/25/2018	0.172	mg/L	0.05	1.3	***
Lead	01/25/2018	0.073	mg/L	0.001	0.015	***

This level is above the maximum contaminant level (MCL), contact your local health department for assistance.

\*\*\*Test Method by Analyte:

Copper - SM 3111 B

Lead - EPA 200.9

The agency for the county of this water source to contact in regards to questions about interpretation of results is:

KENT COUNTY HEALTH DEPT-ENV  
700 FULLER AVE NE  
Phone: (616)632-6900

EPA-R5-2018-007926\_0000044

**Groundwater Data Summary - Ex. 6 - Personal Privacy**

December 2017

<i>Monitoring Location:</i>		1850 House St.		
<i>Laboratory ID:</i>		465779003		
<i>Collection Date:</i>		12/11/17	<b>Federal MCL<sup>(1)</sup></b>	<b>Residential DWC<sup>(2)</sup></b>
<b>General Chemistry Parameters</b>	<b>CAS Number</b>			
Alkalinity, Bicarbonate (CaCO <sub>3</sub> )	NA	499,000	--	--
Alkalinity, Total as CaCO <sub>3</sub>	NA	499,000	--	--
Chloride	16887-00-6	88,600	2.50E+05 (SMCL)	2.50E+05 (E)
Hardness, Total	NA	526,000	--	--
Solids, Total Dissolved	NA	<b>878,000</b>	5.00E+05 (SMCL)	5.00E+05 (E)
Sulfate	14808-79-8	114,000	2.50E+05 (SMCL)	2.50E+05 (E)
<b>Metals, Total</b>	<b>CAS Number</b>			
Arsenic (B)	7440-38-2	5 U	10	10
Barium (B)	7440-39-3	500 U	2,000	2,000
Cadmium (B)	7440-43-9	1 U	5.0	5.0
Calcium	7440-70-2	134,000	--	--
Chromium, Total (B, H)	7440-47-3	10 U	100	100
Chromium, Hexavalent	18540-29-9	10 U	--	100
Chromium, Trivalent - Calculated (B, H)	16065-83-1	10 U	--	100
Copper (B)	7440-50-8	31.7	1,300 (AL)	1,000 (E)
Iron (B)	7439-89-6	10 U	300	300 (E)
Lead (B)	7439-92-1	<b>22.5</b>	15 (AL)	4.0 (L)
Magnesium (B)	7439-95-4	46,700	--	4.00E+05
Mercury (B)	7439-97-6	0.2 U	2.0	2.0
Selenium (B)	7782-49-2	5 U	50	50
Silver (B)	7440-22-4	0.2 U	100 (SMCL)	34
Sodium	17341-25-2	108,000	--	2.30E+05
Zinc (B)	7440-66-6	89.4	5,000 (SMCL)	2,400

Results expressed in µg/L.

**Bolded** values exceed an applicable criterion.*Data Qualifiers:*

U Not detected

*Footnotes/Abbreviations:*<sup>(1)</sup>National Primary Drinking Water Regulations, US EPA 816-F-09-004, May 2009.<sup>(2)</sup>Part 201 Groundwater Generic Cleanup Criteria/Part 213 Tier 1 Risk-based Screening Levels, December 30, 2013.

(B) Background, as defined in R 299.5701(b), may be substituted if higher than the calculated criterion.

(E) Aesthetic drinking water value. Notice of aesthetic impact may be employed as an institutional control if concentration exceeds the aesthetic DWC but not the health-based DW value.

(H) Data provided for total Chromium only; compare to hexavalent Chromium criteria.

(L) Concentrations up to the State action level of 15 µg/L may still allow for drinking water use if soil concentrations are below 400 mg/Kg.

(AL) action level

(SMCL) secondary maximum contaminant level

DWC drinking water criterion

MCL maximum contaminant level

NA not available



## ANALYTICAL RESULTS

Project: Varnum Tannery; 171696

Pace Project No.: 465779

Sample:	Ex. 6 - Personal Privacy	Lab ID: 465779003	Collected: 12/11/17 13:40	Received: 12/11/17 17:39	Matrix: Water			
Parameters	Results	Units	Report Limit	DF	Prepared	Analyzed	CAS No.	Qual
<b>6010C MET ICP</b> Analytical Method: EPA 6010C Preparation Method: EPA 3010A								
Calcium	134000	ug/L	500	1	12/19/17 08:06	12/21/17 11:20	7440-70-2	
Iron	<10.0	ug/L	10.0	1	12/19/17 08:06	12/21/17 11:20	7439-89-6	
Magnesium	46700	ug/L	500	1	12/19/17 08:06	12/21/17 11:20	7439-95-4	
Sodium	108000	ug/L	500	1	12/19/17 08:06	12/21/17 11:20	7440-23-5	
Total Hardness by 2340B	526000	ug/L	3310	1	12/19/17 08:06	12/21/17 11:20		N2
<b>6020A MET ICPMS</b> Analytical Method: EPA 6020A Preparation Method: EPA 3020A								
Arsenic	<5.0	ug/L	5.0	1	12/18/17 07:28	12/18/17 22:14	7440-38-2	
Barium	<500	ug/L	500	5	12/18/17 07:28	12/19/17 20:09	7440-39-3	
Cadmium	<1.0	ug/L	1.0	1	12/18/17 07:28	12/19/17 17:01	7440-43-9	
Chromium	<10.0	ug/L	10.0	1	12/18/17 07:28	12/18/17 22:14	7440-47-3	
Copper	31.7	ug/L	4.0	1	12/18/17 07:28	12/18/17 22:14	7440-50-8	
Lead	22.5	ug/L	3.0	1	12/18/17 07:28	12/18/17 22:14	7439-92-1	
Selenium	<5.0	ug/L	5.0	1	12/18/17 07:28	12/18/17 22:14	7782-49-2	
Silver	<0.20	ug/L	0.20	1	12/18/17 07:28	12/20/17 11:51	7440-22-4	
Zinc	89.4	ug/L	50.0	1	12/18/17 07:28	12/18/17 22:14	7440-66-6	
<b>7470 Mercury</b> Analytical Method: EPA 7470A Preparation Method: EPA 7470A								
Mercury	<0.20	ug/L	0.20	1	12/26/17 12:14	12/27/17 14:55	7439-97-6	
<b>2320B Alkalinity</b> Analytical Method: SM 2320B-11								
Alkalinity, Total as CaCO <sub>3</sub>	499	mg/L	20.0	1		12/19/17 16:22		
Alkalinity, Bicarbonate (CaCO <sub>3</sub> )	499	mg/L	20.0	1		12/19/17 16:22		
<b>2540C Total Dissolved Solids</b> Analytical Method: SM 2540C-11								
Total Dissolved Solids	878	mg/L	50.0	1		12/12/17 14:11		
<b>7196 Chromium, Hexavalent</b> Analytical Method: EPA 7196A								
Chromium, Hexavalent	<0.010	mg/L	0.010	1		12/12/17 10:40	18540-29-9	
<b>4500 Chloride</b> Analytical Method: SM 4500-Cl E-11								
Chloride	88.6	mg/L	1.0	1		12/12/17 10:51	16887-00-6	
<b>9038 Sulfate Water</b> Analytical Method: EPA 9038								
Sulfate	114	mg/L	5.0	5		12/14/17 15:48	14808-79-8	

## REPORT OF LABORATORY ANALYSIS

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